

# MARSHALL DENNEHEY

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August 15, 2019

**Via Lawyers Service and Electronic Filing**

Honorable Claire C. Cecchi, U.S.D.J.  
King Fed. Bldg. & U.S. Courthouse  
50 Walnut Street  
P.O. Box 999  
Newark, New Jersey 07101  
United State District Court

**RE: Kongtcheu, Philibert v. Secaucus Healthcare Center, LLC.**

**Docket No.: 2:13-cv-1856-CCC-JAD**

**Our File No.: 13152.00525**

Dear Judge Cecchi:

This office represents the interests of Guarang Brahmhatt, M.D. and Riverside Medical Group, LLC in the above-captioned action. On or about November 3, 2017, our office filed a motion to dismiss plaintiff's Complaint pursuant to the Affidavit of Merit Statute, NJSA 2A:53A-26, et seq. Plaintiff requested an extension of time to respond to this motion, and ultimately by way of Order dated November 17, 2017, Your Honor Ordered the Clerk to administratively terminate this case without prejudice (ECF 134.) Your Honor further ordered that when plaintiff is in a position to prosecute the case, he may file a letter with the Court seeking to re-open the instant matter.

On or about December 6, 2018, my office wrote to the Court requesting that the instant matter be dismissed, with prejudice. I now renew that request as more than one year has passed since the dismissal of this action without prejudice, and plaintiff has failed to take any affirmative action whatsoever to secure an Affidavit of Merit or otherwise prosecute this matter against my clients. As such, defendants Guarang Brahmhatt, M.D. and Riverside Medical Group, LLC respectfully requests that

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plaintiff's Complaint against them be dismissed, with prejudice, for plaintiff's failure to comply with the Affidavit of Merit Statute.

I thank the Court for the attention to this matter.

We thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, reading "Nataliana A. Guida". The signature is written in a cursive, flowing style.

Nataliana A. Guida

NAG/tmc

cc: Philibert F. Kongtcheu, Pro Se  
via e-mail, certified and regular mail)  
S. Christopher Martino, Esq.